

Sexton, J

MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 By: ANNA ARREOLA
 Assistant United States Attorney
 One St. Andrew's Plaza, 3rd Floor
 New York, New York 10007
 Tel. (212) 637-2218

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----x
 UNITED STATES OF AMERICA, :

 Plaintiff, :

 - v - :

 \$11,906.00 IN UNITED STATES :
 CURRENCY, :

 Defendant-in-rem. :
 -----x

10/23/07

DEFAULT JUDGMENT
 07 Civ. 2803 (SAS)

WHEREAS, on April 6, 2007, the United States commenced a civil action for the forfeiture of the above-referenced defendant-in-rem (the "Defendant Currency") by the filing of a verified complaint;

WHEREAS, on or about April 9, 2007, notice of the verified complaint was sent by regular mail to Melvin Miller ("Miller") at 4270 Queens Philomena Boulevard, Apt. 4, Schenectady, New York 12304 and by certified mail to his attorney, John A. Della Ratta, Esq., at Della Ratta Law Offices, 147 Barrett Street, Schenectady, New York 12305;

WHEREAS, the foregoing are the only people known by the Government to have a potential interest in the Defendant

Currency;

WHEREAS, notice of the verified complaint and in rem warrant against the Defendant Currency was published in the New York Law Journal on May 21, 2007, and proof of such publication was filed with the Clerk of this Court on September 6, 2007;

WHEREAS, notice of nonjudicial forfeiture of the same property was also published in the Wall Street Journal on January 2, 2007, January 8, 2007, and January 16, 2007;

WHEREAS, no claims or answers have been filed or made in this judicial forfeiture action, and the requisite time periods in which to do so, as set forth in 18 U.S.C.

§ 983(a)(4)(A) and Rule G of the Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

NOW THEREFORE, on the motion of Michel J. Garcia, United States Attorney for the Southern District of New York, attorney for the plaintiff United States of America, by Assistant United States Attorney Anna E. Arreola, of counsel;

IT IS HEREBY ORDERED THAT:

1. Plaintiff United States of America shall have judgment by default against the Defendant Currency.


2. The Defendant Currency shall be, and the same hereby is, forfeited to the plaintiff United States of America.

3. The United States Marshals Service shall dispose of the Defendant Currency according to law.

Dated: New York, New York
September , 2007

Oct 23

SO ORDERED:


HONORABLE SHIRA A. SCHEINDLIN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

\$11,906.00 IN UNITED STATES CURRENCY,

Defendant-in-rem.

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MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for the United States of America
One St. Andrew's Plaza
New York, New York 10007
(212) 637-1060

ANNA E. ARREOLA
Assistant United States Attorney
-Of Counsel-